

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM: Monroe D. Kiar, Town Attorney
954-584-9770

SUBJECT: Resolution

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING \$8,000.00 AS PAYMENT IN FULL OF THE SPECIAL ROAD AND DRAINAGE ASSESSMENT LIEN UPON PARCEL NUMBER 23, AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF:

The Town of Davie imposed a special assessment for road and drainage improvements by Resolution No. R-87-255. As part of the assessment, Parcel No. 23 was assessed pursuant to the road and drainage improvements. The amount owed on Parcel No. 23 is \$3,710.41, plus interest. Jack M. Johnson is the owner of Parcel No. 23 and has offered to pay the Town of Davie the total sum of \$8,000.00 in full settlement and satisfaction of the road and drainage assessment.

PREVIOUS ACTIONS: A lawsuit was filed against Jack M. Johnson, the owner of Parcel No. 23, to recover the amount owed on the property.

CONCURRENCES:

FISCAL IMPACT:

RECOMMENDATION(S): Motion to approve the Resolution.

ATTACHMENTS: Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING \$8,000.00 AS PAYMENT IN FULL OF THE SPECIAL ROAD AND DRAINAGE ASSESSMENT LIEN UPON PARCEL NUMBER 23, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Davie imposed a special assessment for road and drainage improvements by Resolution No. R-87-255; and

WHEREAS, as part of the assessment, Parcel Number 23 was assessed pursuant to the road and drainage improvement; and

WHEREAS, the amount of \$3,710.41, plus interest of \$4,621.74 is owed as of September 30, 2003 on the parcel; and

WHEREAS, Jack M. Johnson is the owner of Parcel Number 23; and

WHEREAS, Jack M. Johnson has offered to pay the Town of Davie the amount of \$8,000.00 in full settlement and satisfaction of the road and drainage assessment; and

WHEREAS, the parties believe that this offer represents a mutually beneficial settlement of the assessment lien.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. That upon payment to the Town of Davie of the lump sum of \$8,000.00 in cleared funds and within thirty (30) days of the effective date of this Resolution, the special assessment lien referred to above on Parcel Number 23 shall be deemed satisfied.

SECTION 2. Upon any failure by the owner of the assessed parcel to tender the lump sum payment of \$8,000.00 in cleared funds within thirty (30) days of the effective date of this Resolution shall be deemed rejected.

SECTION 3. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2003.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2003.

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